



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

648 KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012-2713

JOHN F. KRATTLI
County Counsel

November 21, 2012

TELEPHONE
(213) 974-1609
FACSIMILE
(213) 626-2105
TDD
(213) 633-0901

TO: SACHI A. HAMAI
Executive Officer
Board of Supervisors

Attention: Agenda Preparation

FROM: ROGER H. GRANBO
Assistant County Counsel
Law Enforcement Services Division

RE: **John Krajacic v. County of Los Angeles, et al.**
United States District Court Case No. 11-02403

Attached is the Agenda entry for the Los Angeles County Contract Cities Liability Trust Fund Claims Board's recommendation in the above-referenced matter. Also attached are the Case Summary and the Summary Corrective Action Plan.

It is requested that this recommendation, the Case Summary, and the Summary Corrective Action Plan be placed on the Board of Supervisors' agenda of December 4, 2012

RHG:scr

Attachments

Board Agenda

MISCELLANEOUS COMMUNICATIONS

Los Angeles County Contract Cities Liability Trust Fund Claims Board's recommendation: Authorize settlement of the matter entitled John Krajacic vs. County of Los Angeles, et al., United States District Court Case number CV 11-02403 in the amount of \$350,000, and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Sheriff's Department Contract Cities Trust Fund's budget.

This lawsuit concerns allegations of excessive force and false arrest by Sheriff's Deputies.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	<u>John Krajacic v. County of Los Angeles</u>
CASE NUMBER	CV 11-02403 GAF
COURT	United States Disttict Court
DATE FILED	Complaint filed March 22, 2011 Claim filed September 20, 2010
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 350,000
ATTORNEY FOR PLAINTIFF	Ronald O.. Kaye Kaye, McLane & Bednarski
COUNTY COUNSEL ATTORNEY	Edwin A. Lewis
NATURE OF CASE	On June 29, 2010, at approximately 11:00 p.m., Deputy David Hernandez while making a routine traffic stop near 8900 Harratt Street in West Hollywood, observed a vehicle being driven by Plaintiff, John Krajacic. Mr. Krajacic's vehicle did not have any license plates on display and also appeared to have illegally tinted front windows. After stopping the vehicle and searching Mr. Krajacic, Deputy Hernandez located an illegal dirk/dagger in his front pants pocket which resulted in his arrest.

After being transported to the West Hollywood jail, Mr. Krajacic was booked into custody. The next morning Mr. Krajacic was transported to the Beverly Hills Courthouse for arraignment. Upon his arrival to court Mr. Krajacic learned that no criminal charges had been filed against him and he was released from custody

PAID ATTORNEY FEES, TO DATE	\$	193,824
-----------------------------	----	---------

PAID COSTS, TO DATE	\$	58,307
---------------------	----	--------

Case Name: John Krajacic v. County of Los Angeles, et al.



Summary Corrective Action Plan

The intent of this form is to assist departments in writing a corrective action plan summary for attachment to the settlement documents developed for the Board of Supervisors and/or the County of Los Angeles Claims Board. The summary should be a specific overview of the claims/lawsuits' identified root causes and corrective actions (status, time frame, and responsible party). This summary does not replace the Corrective Action Plan form. If there is a question related to confidentiality, please consult County Counsel.

Date of incident/event:	Tuesday, June 29, 2010; approximately 10:55 p.m.
Briefly provide a description of the incident/event:	<p><u>John Krajacic v. County of Los Angeles, et al.</u> Summary Corrective Action Plan No. 2012-034</p> <p>On Tuesday, June 29, 2010, at approximately 10:55 p.m., a Los Angeles County deputy sheriff on routine patrol in a standard black and white patrol vehicle initiated an enforcement stop of the plaintiff's vehicle. The plaintiff refused to provide the deputy with his driver license, vehicle registration, and proof of insurance. Consequently, the plaintiff was asked to exit his vehicle. During a search of the plaintiff's clothing, the deputy found a dagger concealed in his front pants pocket. The deputy arrested the plaintiff for a violation of California Penal Code section 12021(a)(1), Manufacture, Import, Sale, Supply or Possession of Certain Weapons and Explosives.</p>

1. Briefly describe the root cause(s) of the claim/lawsuit:

The plaintiff alleged the deputy falsely claimed the illegal dagger was found in his pants pocket and, as a result, falsely arrested and charged him with a violation of the California Penal Code. The plaintiff further alleged he was assaulted by the deputy and denied rights guaranteed him pursuant to the Americans with Disabilities Act (ADA).

2. Briefly describe recommended corrective actions:
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

The Los Angeles County Sheriff's Department had relevant policies and procedures/protocols in effect at the time of this incident.


The Los Angeles County Sheriff's Department's training curriculum addresses the circumstances which occurred in this incident.

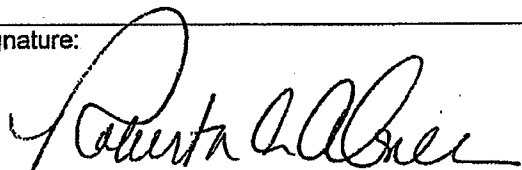
This incident was thoroughly reviewed by representatives from the Los Angeles County Sheriff's Department's West Hollywood Station. No systemic issues were identified, and no employee misconduct is suspected. Consequently, no corrective action measures are recommended nor contemplated.

County of Los Angeles
Summary Corrective Action Plan

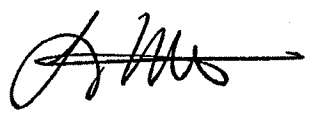
3. State if the corrective actions are applicable to only your department or other County departments:
(If unsure, please contact the Chief Executive Office Risk Management Branch for assistance).

- ☐ Potentially has Countywide implications.
- ☐ Potentially has an implication to other departments (i.e., all human services, all safety departments, or one or more other departments).
- ☒ Does not appear to have Countywide or other department(s) implications.

Name: (Risk Management Coordinator)	
Shaun J. Mathers, Captain Risk Management Bureau	
Signature: 	Date: 10/19/12

Name: (Department Head)	
Roberta A. Abner, Chief Leadership and Training Division	
Signature: 	Date: 10/23/12

Chief Executive Office Risk Management Branch

Name: LEO COSTANTINO	
Signature: 	Date: 11.8.12

I:\Risk Mgt. Inspector General\CAP-SCAP-RECAP\Summary Corrective Action Plan Form 2-01-10 (Final).docx